

S. 1547  
[Sen. Humphrey]

Purpose: To establish a Joint Committee  
on National Security

Comment:

A Joint Committee on National Security is established comprised of 25 Members of Congress: the Speaker, the Majority and Minority leaders of both Houses, the Chairmen and ranking members of the Committee on Appropriations, Armed Services, Foreign Relations, and JCAE. The Joint Committee is to make a continuing study of the foreign, domestic, and military policies of the U. S. and is to make a continuing study of the recommendations and activities of the National Security Council relating to such policies. The Joint Committee is also to make continuing study of classifications procedures within Government.

Position:

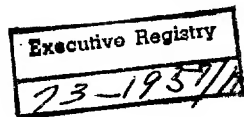
The Joint Committee would overlap the oversight now performed by several committees in both Houses. This apparent overlap is noted to the Chairman on the Armed Services Committee. The Agency would defer to the National Security Council for specific comments to S. 1547 since the bill deals principally with the NSC and is chaired and directed by the President.

Status:

Committee requested Agency views on 16 April 1973.

27 August 1973

CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505



27 OCT 1973

Honorable John C. Stennis, Chairman  
Committee on Armed Services  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

This is in response to your request of April 16, 1973, for our recommendations on S.1547, a bill "To establish a Joint Committee on National Security."

S.1547 establishes a Joint Committee on National Security comprised of 25 members to study: (a) whether foreign, domestic and military policies of the United States are being appropriately integrated; (b) the recommendations and activities of the National Security Council; and (c) Government classification and declassification practices and to recommend new procedures for classification and declassification of material.

While this Agency is not specifically mentioned in S.1547, the activities of the National Security Council are within the purview of the bill and include the direction of this Agency. Moreover, in the introductory statement on the bill, it was pointed out that a continuing review of the operations of the Central Intelligence Agency would be one of the functions of the Joint Committee on National Security (119 Cong. Rec., daily ed. April 11, 1973, 7082).

It is my view that the manner in which legislative oversight of the Central Intelligence Agency is exercised is a question for the Congress itself to decide. A review of the operations of this Agency by the proposed Joint Committee would appear to overlap the oversight now being performed by several committees in both Houses, including your Committee's Subcommittee on Central Intelligence. I have every reason to believe that the Congress, in effecting any such change in oversight, would be conscious of the need to protect intelligence sources and methods from unauthorized disclosure.

The Office of Management and Budget advises that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

/s/ W. E. Colby

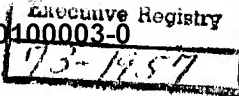
W. E. Colby  
Director

Distribution:

Original - Addressee

- 1 - DCI
- 1 - DDCI
- 1 - ER
- 1 - OLC Chrono
- ✓ 1 - Subject

OLC/LLM:fmc (17 Sept. 73)



01c73-0486

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## United States Senate

COMMITTEE ON ARMED SERVICES  
WASHINGTON, D.C. 20510

April 16, 1973

Honorable James R. Schlesinger  
Director of Central Intelligence  
Washington, D. C.

Dear Mr. Director:

Enclosed herewith is a copy of S. 1547  
now pending before this committee, which is referred to  
you for consideration.

It will be appreciated if you will submit to this  
committee 6 copies of the recommendations of your  
Department with reference to this legislation.

Sincerely,

*John C. Stennis.*

Enclosure

93D CONGRESS  
1ST SESSION

# S. 1547

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## IN THE SENATE OF THE UNITED STATES

APRIL 11, 1973

Mr. HUMPHREY introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To establish a Joint Committee on National Security.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       That the Congress declares that—

4               (1) it has been vested with responsibility under  
5       the Constitution to assist in the formulation of the for-  
6       eign, domestic, and military policies of the United  
7       States;

8               (2) such policies are directly related to the security  
9       of the United States;

10              (3) the integration of such policies promotes our  
11       national security; and

1           (4) the National Security Council was established  
2       by the National Security Act of 1947 as a means of  
3       integrating such policies and furthering the national  
4       security.

5       SEC. 2. (a) In order to enable the Congress to more  
6       effectively carry out its constitutional responsibility in the  
7       formulation of foreign, domestic, and military policies of the  
8       United States and in order to provide the Congress with  
9       an improved means for formulating legislation and provid-  
10      ing for the integration of such policies which will further  
11      promote the security of the United States, there is estab-  
12      lished a joint committee of the Congress which shall be  
13      known as the Joint Committee on National Security, here-  
14      after referred to as the "joint committee". The joint com-  
15      mittee shall be composed of twenty-five Members of Con-  
16      gress as follows:

17           (1) the Speaker of the House of Representatives;

18           (2) the majority and minority leaders of the Senate  
19      and the House of Representatives;

20           (3) the chairmen and ranking minority members  
21      of the Senate Committee on Appropriations, the Senate  
22      Committee on Armed Services, the Senate Committee  
23      on Foreign Relations, and the Joint Committee on  
24      Atomic Energy.

25           (4) the chairmen and ranking minority members

1 of the House Appropriations Committee, the House  
2 Armed Services Committee, and the House Foreign  
3 Affairs Committee;

4 (5) three Members of the Senate appointed by  
5 the President of the Senate, two of whom shall be  
6 members of the majority party and one of whom shall  
7 be a member of the minority party;

8 (6) three Members of the House of Representa-  
9 tives appointed by the Speaker, two of whom shall be  
10 members of the majority party and one of whom shall  
11 be a member of the minority party.

12 (b) The joint committee shall select a chairman and a  
13 vice chairman from among its members.

14 (c) Vacancies in the membership of the joint committee  
15 shall not affect the power of the remaining members to  
16 execute the functions of the joint committee and shall be  
17 filled in the same manner as in the case of the original  
18 appointment.

19 SEC. 3. (a) The joint committee shall have the follow-  
20 ing functions:

21 (1) to make a continuing study of the foreign,  
22 domestic, and military policies of the United States with  
23 a view to determining whether and the extent to which  
24 such policies are being appropriately integrated in fur-  
25 therance of the national security;

1           (2) to make a continuing study of the recommen-  
2           dations and activities of the National Security Council  
3           relating to such policies, with particular emphasis upon  
4           reviewing the goals, strategies, and alternatives of such  
5           foreign policy considered by the Council; and

6           (3) to make a continuing study of Government  
7           practices and recommendations with respect to the clas-  
8           sification and declassification of documents, and to rec-  
9           ommend certain procedures to be implemented for the  
10          classification and declassification of such material.

11          (b) The joint committee shall make reports from time  
12          to time (but not less than once each year) to the Senate and  
13          House of Representatives with respect to its studies. The re-  
14          ports shall contain such findings, statements, and recom-  
15          mendations as the joint committee considers appropriate.

16          SEC. 4. (a) The joint committee, or any subcommittee  
17          thereof, is authorized, in its discretion (1) to make expendi-  
18          tures, (2) to employ personnel, (3) to adopt rules respect-  
19          ing its organization and procedures, (4) to hold hearings,  
20          (5) to sit and act at any time or place, (6) to subpoena  
21          witnesses and documents, (7) with the prior consent of the  
22          agency concerned, to use on a reimbursable basis the services  
23          of personnel, information, and facilities of any such agency,  
24          (8) to procure printing and binding, (9) to procure the  
25          temporary services (not in excess of one year) or intermit-



1 tent services of individual consultants, or organizations  
2 thereof, and to provide assistance for the training of its pro-  
3 fessional staff, in the same manner and under the same con-  
4 ditions as a standing committee of the Senate may procure  
5 such services and provide such assistance under subsections  
6 (i) and (j), respectively, of section 202 of the Legislative  
7 Reorganization Act of 1946, and (10) to take depositions  
8 and other testimony. No rule shall be adopted by the joint  
9 committee under clause (3) providing that a finding, state-  
10 ment, recommendation, or report may be made by other  
11 than a majority of the members of the joint committee then  
12 holding office.

13 (b) Subpenas may be issued over the signature of the  
14 chairman of the joint committee or by any member desig-  
15 nated by him or the joint committee, and may be served  
16 by such person as may be designated by such chairman or  
17 member. The chairman of the joint committee or any mem-  
18 ber thereof may administer oaths to witnesses. The pro-  
19 visions of sections 102-104 of the Revised Statutes (2  
20 U.S.C. 192-194) shall apply in the case of any failure of any  
21 witness to comply with a subpoena or to testify when sum-  
22 moned under authority of this section.

23 (c) With the consent of any standing, select, or special  
24 committee of the Senate or House, or any subcommittee,  
25 the joint committee may utilize the services of any staff

1 member of such House or Senate committee or subcom-  
2 mittee whenever the chairman of the joint committee deter-  
3 mines that such services are necessary and appropriate.

4 (d) The expenses of the joint committee shall be paid  
5 from the contingent fund of the Senate from funds appro-  
6 priated for the joint committee, upon vouchers signed by the  
7 chairman of the joint committee or by any member of the  
8 joint committee authorized by the chairman.

9 (e) Members of the joint committee, and its person-  
10 nel, experts, and consultants, while traveling on official  
11 business for the joint committee within or outside the United  
12 States, may receive either the per diem allowance author-  
13 ized to be paid to Members of the Congress or its employees,  
14 or their actual and necessary expenses if an itemized state-  
15 ment of such expenses is attached to the voucher.

17 October 1973

JMM,

Recommend you sign the self-explanatory  
note to Colby requesting his signature on a report  
to Stennis on the Humphrey bill, Joint Committee  
on National Security.



LLM



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SECRET

## ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

John M. Maury  
Legislative Counsel

EXTENSION

4151

NO.

OLC 73-0486

DATE

17 October 1973

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S  
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

ER

23 OCT 1973 *82-*

2.

3.

Mr. Colby

10/23

10/27

*wcc/612*

4.

5.

6.

7.

OLC  
7D35

8.

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10.

11.

12.

13.


14.

15.

Attached for your signature is a proposed report to Chairman Stennis which has been revised in accordance with the recommendation of OMB.

The initial report which you approved for submission to OMB contained a paragraph deferring to the views of the National Security Council, the focus of the bill. OMB has requested deletion of that paragraph since the views of the National Security Council on the bill have not been requested by Stennis.

25X1A

  
 John M. Maury  
Legislative Counsel

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29 Oct. 73

. The attached letter was re-typed on 17 Oct. 73  
and finally sent to Chairman Stennis on 27 Oct. 73.

Memo was re-typed for deleted paragraph on NSC.

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USE ONLY

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*redone on  
17 Oct-73*

## ROUTING AND RECORD SHEET

SUBJECT: (Optional)

STATINTL

FROM: 		EXTENSION	NO.
		4151	OLC 73-0486
DATE		DATE	
		1 October 1973	
TO: (Name)	DATE		OFFICER'S INITIALS
	RECEIVED	FORWARDED	
1.			<p>Attached for your signature is proposed report to Chairman Stennis which has been revised in accordance with the recommendation of OMB.</p> <p>The initial report which you approved for submission to OMB contained a paragraph deferring to the views of the National Security Council, the focus of the bill. OMB has requested deletion of the paragraph since the views of the National Security Council on the bill have not been requested by Stennis.</p>
ER			
2.			
3.			
Mr. Colby			
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USE ONLY

CONFIDENTIAL



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## ROUTING AND RECORD SHEET

SUBJECT: (Optional)

STATINTL

FROM

EXTENSION

NO.

OLC 73-0486

DATE

29 August 1973

TO: (building)

OFFICER'S  
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. Mr. Evans

RECEIVED

FORWARDED

8/29

8/29

sk/bc

2.

3. Mr. Colby

8/29

8/29

wc/bf

4.

OLC

5.

6.

7.

8.

9.

10. ER - Please do not date letter.

11.

12.

13.

14.

15.

Attached for Mr. Colby's signature is a proposed report to Chairman Stennis on a bill for a Joint Committee on National Security which has been coordinated with OGC, IC, DDO and DDI, and informally with Jim Woolsey of the Senate Armed Services Committee staff.

It will be sent to OMB for clearance prior to transmittal to Stennis.

The report defers to the NSC on two defects in the bill: (1) making Congress privy to the most sensitive activities of the President's chief policy advisers in conflict with Presidential prerogatives and (2) defeating the original purpose of the NSC by forcing abandonment of the mechanism in order to maintain the confidentiality of Presidential initiatives and options.

For your information, Senator Humphrey in introducing the bill cites a 1959 article of his in Foreign Affairs which makes statements undermining his proposition: "...we in the U. S. might well give more attention to the central virtue of the old diplomacy-the ability to conduct confidential negotiations confidentially."; and "The role of the Senate in dealing directly with international problems is severely and properly limited by the Constitution, which vests in the Executive Branch exclusive power to conduct foreign relations."

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**CENTRAL INTELLIGENCE AGENCY**

WASHINGTON, D.C. 20505

**OFFICE OF THE DIRECTOR**

Honorable John C. Stennis, Chairman  
Committee on Armed Services  
United States Senate  
Washington, D. C. 20510

Dear Mr. Chairman:

This is in response to your request of April 16, 1973, for our recommendations on S. 1547, a bill "To establish a Joint Committee on National Security."

S. 1547 establishes a Joint Committee on National Security comprised of 25 members to study: (a) whether foreign, domestic and military policies of the United States are being appropriately integrated; (b) the recommendations and activities of the National Security Council; and (c) Government classification and declassification practices and to recommend new procedures for classification and declassification of material.

While this Agency is not specifically mentioned in S. 1547, the activities of the National Security Council are within the purview of the bill and include the direction of this Agency. Moreover, in the introductory statement on the bill, it was pointed out that a continuing review of the operations of the Central Intelligence Agency would be one of the functions of the Joint Committee on National Security (119 Cong. Rec., daily ed. 11 April 1973, 7082).

A review of the operations of this Agency by the Joint Committee would appear to overlap the oversight now being performed by several committees in both Houses, including your Committee's Subcommittee on Central Intelligence. I have every reason to believe that the Congress, in effecting any such change in oversight, would be conscious of the need to protect intelligence sources and methods from unauthorized disclosure.




Since S. 1547 deals principally with the activities of the National Security Council, which is chaired by the President and whose statutory membership includes the Secretaries of State and Defense, I defer to the views of the National Security Council for any further comments.

The Office of Management and Budget advises that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

STATINTL

  
W. E. Colby